The opinion in support of the decision being entered today was <u>not</u> written for publication and is <u>not</u> binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte TOSHIYUKI BABA, HIROMASA TABATA, KATASHI NAGAMATSU, and YOSHIFUMI WATAZU **MAILED**

SEP 2 0 2005

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

Application No. 09/673,937

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on August 3, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

We were unable to locate a complete copy of the translations for the Naoko (JP 08187095) and Fujio (JP 60-224498) references relied on by the examiner on page 3 of the Examiner's Answer mailed February 12, 2004. We were able to locate only abstracts.

Accordingly, it is

ORDERED that the application is electronically returned to the examiner to:

- have a complete copy of the of the missing translations of the Naoko (JP 08187095) and Fujio (JP 60-224498) references scanned in the administrative file;
- provide a copy of the full translations to the appellants; and
- for such further action as may be appropriate.

BOARD OF PATENT APPEALS AND INTERFERENCES

Craig R. Feinberg

Program and Resource Administrator

(571) 272-9797

Ronald E. Greigg Greigg & Greigg PLLC 1423 Powhatan Street, Unit One Alexandria, VA 22314

dem